1 2 3 4 5	S. PETER SERRANO, WSBA #54769 AUSTIN F. HATCHER, WSBA #57449 Attorneys for Plaintiffs 5238 Outlet Dr. Pasco, WA 99301 (509) 567-7083	
6	UNITED STATES DIS	STRICT COURT
7	EASTERN DISTRICT O AT YAKI	
8		
9	MICHAEL SCOTT BRUMBACK, an individual, et al.,	NO. 1:22-cv-03093-MKD- TOR
10	Plaintiffs,	STIPULATED MOTION AND [PROPOSED] ORDER
11	v.	EXTENDING STAY
12 13	ROBERT W. FERGUSON, in his official capacity as Washington State Attorney General, et al.,	May 14, 2025 Without Oral Argument
14	Defendants,	
15	ALLIANCE FOR GUN RESPONSIBILITY,	
16		
17	Intervenor-Defendant.	
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STIPULATED MOTION AND [PROPOSED] ORDER EXTENDING STAY NO. 1:22-cv-03093-MKD-TOR

## RECITALS

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- 1. On March 20, 2025, the Ninth Circuit *en banc* panel issued an opinion in *Duncan v. Bonta*, Case No. 23-55805, a case concerning the constitutionality of California's large-capacity magazine restriction statute.
- 2. On February 21, 2024, this Court granted in part and denied in part a Stipulated Motion and Order Extending Dispositive Briefing Deadlines, ECF No. 68, ordering that all pending deadlines and hearings stricken and staying the case pending the decision in *Duncan*.
- 3. A similar case, *State of Washington v. Gator's Custom Guns, Inc. et al.*, No. 102940-3, concerning the statutes at issue in this case, is now currently pending before the Washington Supreme Court. That matter, like this one, is a challenge to Washington's large capacity magazine laws under Article 1, section 24 of the Washington Constitution and the Second Amendment of the United States Constitution. It was argued before the Court on January 14, 2025, and is ripe for decision.
- 4. The parties anticipate that *Gator's* will provide binding precedent concerning Plaintiffs' claims under the Washington Constitution.

## **STIPULATION**

The Parties, by and through their respective attorneys of record, with the exception of Robert Udell and Joseph Brusic who take no position, hereby stipulate to the following:

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STIPULATED MOTION AND [PROPOSED] ORDER EXTENDING STAY NO. 1:22-cv-03093-MKD-TOR

1	1. The Order Striking Deadlines and Staying Case, ECF No. 68, is	
2	extended pending the issuance of a decision by the Washington Supreme Court	
3	in State of Washington v. Gator's Custom Guns, Inc., et al., No. 102940-3.	
4	2. Within ten days of the Washington Supreme Court issuing an	
5	opinion in Gator's, the parties shall file a joint status report with a proposed	
6	scheduling order attached, if necessary. For any hearing or trial dates, the parties	
7	shall confer with the Courtroom Deputy prior to proposing dates and times.	
8	DATED this day of 2025.	
9	SILENT MAJORITY FOUNDATION	
10		
11	/s/S. Peter Serrano SIMON P. SERRANO, WSBA #54769	
12	AUSTIN F. HATCHER, WSBA #57449 Pete@smfjb.org	
13	Austin@hatcherlawpllc.com Attorneys for Plaintiffs	
14	NICHOLAS BROWN	
15	Attorney General	
16	/s/ William McGinty	
17	R. JULY SIMPSON, WSBA #45869 WILLIAM MCGINTY, WSBA #41868	
18	ANDREW HUGHES, WSBA #49515 BRIAN HUNT ROWE, WSBA #56817	
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STIPULATED MOTION AND [PROPOSED] ORDER EXTENDING STAY NO. 1:22-cv-03093-MKD-TOR

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10	/s/ Callie A. Castillo CALLIE A. CASTILLO, WSBA #38214
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12	Castilloc@lanepowell.com  Attorney for Defendants  Loseph A. Prusio & Robert Udell
13	Joseph A. Brusic & Robert Udell
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STIPULATED MOTION AND [PROPOSED] ORDER EXTENDING STAY NO. 1:22-cv-03093-MKD-TOR

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1	<u>ORDER</u>	
2	1. The Order Striking Deadlines and Staying Case, ECF No. 68, is	
3	extended pending the issuance of a decision by the Washington Supreme Court	
4	in State of Washington v. Gator's Custom Guns, Inc., et al., No. 102940-3.	
5	2. Within ten days of the Washington Supreme Court issuing an	
6	opinion in Gator's, the parties shall file a joint status report with a proposed	
7	scheduling order attached, if necessary. For any hearing or trial dates, the parties	
8	shall confer with the Courtroom Deputy prior to proposing dates and times.	
9	IT IS SO ORDERED. The District Court Executive is directed to file	
10	this order and provide copies to the parties.	
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12	DATED this day of 2025.	
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14	HON. THOMAS O. RICE United States District Judge	
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